### SOLDIERS LEAVE FOR MANEUVERS

Fifteenth Infantry Under Command of Colonel Scott Off For Wyoming.

RIDE TO COLORADO SPRINGS

Leaving Resort City Long Hike to Camp Crawford Will

Boys in Glive Drab Will Solve Problems of War for One Month-Return in September.

With more baggage than a circus and early 700 men, not to speak of a hundred and a half mules and horses, the Fifteenth Infantry left this city at 11:15 his morning for a six weeks trip affeld The regiment under the personal com nand of Col. Walter S. Scott entrained at the Rio Grande depot and th'.

ning will find them in Colorado Springs After a night's rest and a meal or two the men, baggage and animals will take up the long hike from the Colorado city to Camp Emmet Crawford, near Fort Russell, Wyo., a long, dusty march of 208 miles through canyons,

alleys, over hills and past farm lands burdened with the grains and fruits of the season. The arrival at the camp ground is scheduled for Aug. 1, giving the men little over two weeks for the

Up this morning at 5 o'clock, the soldier boys found a hard day's work ahead of them. Each company packed its baggage in the army wagons of the "prairie schooner" type. The men carried their blankets, ponchos, clothing and toilet articles in their blanket rolls carried across their shoulders. Every fourth or fifth man carried in addition to his rifle, haversack, canteen and first aid packet, an intrenching tool—a small short handled shovel. Here and there were men with short handled picks, others with axes and all prepared for service of any sort. The soldiers wore the new olive drab uniforms and campaign hats. Officers were fitted out with field glasses and revolvers, dispatch cases and odds and ends of equipment used for field service. There were 680 enlisted men and a full complement of officers. Of horses and mules there were. 48—and owing to the scarcity of animals for military use, these were of every shade and color save violet. Up this morning at 5 o'clock, the sol-

The troop trains departed in three sections. The first section carried Col. Scott and his official family comprising the regimental headquarters. With the section also were the mounted orderly detachment under command of Lieut. Seaman and the machine gun platoon under command of Lieut. Caffey. Companies E. G and H were also with this section. The make-up of this section was six stock cars, two tourist sleepers, one baggage car. tourist sleepers, one baggage car tourist sleepers and a stand two tourist sleepers and a stand-ard Pullman. The second sec-tion went under the command of Lieut. Col. Williams and Maj. Rowan and carried besides three infantry com-panies the regimental band. The train was made up of three flat cars, one box was made up of three flat cars, one box car, three tourist sleepers, one baggage car, two tourist sleepers and one standard Pullman. The third section carried companies alone with Maj. Arrasmith in command. It was made up of two flat cars, two box cars, two tourist sleepers, one baggage car, two tourist sleepers and one standard Pullman.

### COOKED MEALS ENROUTE.

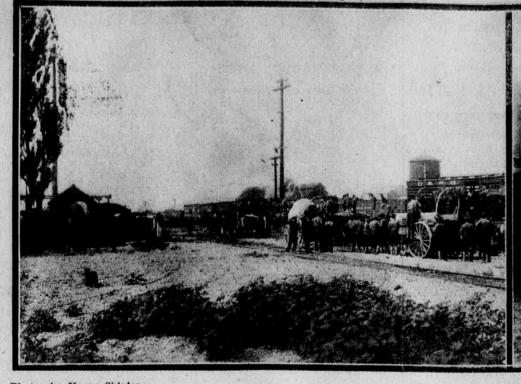
The baggage cars are placed in the centers of each section and are to be used by the commissary, looking to the inner comfort of the men while enroute. Army ranges were set up and meals were being cooked before the train was ready to leave the station. meals were being cooked before the train was ready to leave the station. On the flat cars the army wagons were packed in close order, six wagons riding on one car, covers, harness and supplies being tightly packed in the beds and all being knocked down before loading. Twenty men lifted the big wagons one by one to the cars and then all were secured with ropes to travel in safety. The box cars carry tentage, foodstuff and other baggage and soon after arriving at the depot each company was split into details to load the great amount of baggage. The scene was a busy one and the onlooker saw the repetition of many depot scenes enacted during the departure of troops for the Spanish-American war. There was no confusion. Every man knew his task, and there were scores of officers, non-commissioned officer and packmasters and assistants busily engaged in directing each of the six hundred and more men in the performance of his tasks hundred and more men in the perform

### MULES FROM MISSOURI.

It was in the loading of the horses where the amusing sights of vere enacted. There were many long eared specimens of the Missouri quadruped to be taken care of. When the time came to put them in the stock cars, twenty and more to a thirty-six foot car, a task of no small proportions was presented. The inherited stubbornness of the Missourians was everywhere apparent, and to set them into the cars when their descriptions. get them into the cars when their idea were to the contrary, was quite amus-ing to the onlooker and intensely vexing to the packmaster. The mule seemed to know what was expected them, and just to be contrary to pre-serve the tradition of their species the ere bent upon doing just what wa

A feature of the column as it passed down Main street was noted in the machine gun platoon. This part of the military establishment, while not entirely new, has formed a part of no regiments stationed at Fort Douglas prior to the Fifteenth. The machine gun is a small offer and circumstants. prior to the Fifteenth. The machine gun is a small affair and gives the lefantry a miniature artillery complement. The rifle itself is of small bore, and is carried on a mule's back in a specially adapted pack-saddle. With it are carried the gun carriage, ammunition boxes and accessory parts, he whole making a very fair load for stocky mule.

WEDNESDAY JULY 15 1908 SALT LAKE CITY UTAH



LOADING WAGONS AND STOCK CARS.

LOADING TENTAGE AND COMMISSARY.

The making of these pictures establishes a record for rapid work. From the time the exposures were made this morning at the depot to the time finished prints were delivered at the "News" offices exactly fifty-five minutes elapsed.

Temple to Main and south to Second South and west to the depot the attention was maintained, the band keeping the air merry with stirring processes. MOURN FOR CLEVELAND.

MOURN FOR CLEVELAND.

The regimental and national colors were draped in crepe, so were the hilts of the officers' sabers. The occasion is the order from the president directing that for 30 months the military establishment of the United States shall mourn the loss of former President Grover Cleveland.

Now the regiment is well on its way to the Colorado line. It will return by train to its station at Fort Douglas early in September. Upon arriving at camp Aug. I, the command will face one month's hard work. The camp is one of eight which are being held in various portions of the United States in which the regular army and the militial reserves are concentrated for maneuvers. These maneuvers cover instruction in the actual solution of problems which confront armies in time of war. Every condition of actual warfare is simulated. Marches, camps, battle exercises and other technical subjects are taken up.

MILITIA JOINS IN AUGUST.

MILITIA JOINS IN AUGUST.

The militia of the various states in the department of the Colorado will join the regulars at Camp Emmet Crawford Aug. 1, remaining from 10 to 15 days to participate in the instruction, it is estimated that when all troops are assembled over 15,000 men will be in camp, one of the largest camps ever held in the United States and surpassed numerically by few European powers at their annual maneuvers.

Harry Cushing, traveling passenger agent for the Rio Grande, was in charge of the trains for the railroad company, while Captain Harker, quartermaster and commissary for the regiment, handled affairs from the military standpoint.

standpoint.

standpoint.

Fort Douglas is practically a deserted post. Captain Savage is in command with a small detachment of men. The soldiers left behind are those whose terms of enlistment expire before the date of the return of the troops from maneuvers or shortly after.

Leaving today from Fort Douglas

Leaving today from Fort Douglas also was the rifle team, formed of 13 expert riflemen, Lieut Upham being in charge. The Fifteenth infantry stands at the top notch in the regular army for marksmanship, numbering among its members a greater number of experts, sharpshooters and marksmen than per-haps any other regiment in the service. The rifle team now on its way to divi-sion and national matches is hopeful of capturing the coveted national trophy for the team and some individual match trophies. The team goes first to Aue, Texas, where it will take part in the division competition and then to Chicago and to Camp Perry, Ohio, to take part in the national match.

### PEST APPEARS IN OAKLAND.

San Francisco, July 15 .- Over a portion of East Oakland about a mile square Argentine ants, a pest destruc tive to vegetable life and not without danger to huma nbeings, has been discovered within the last few days and the department of entomology of the University of California, which has University of California, which has made an investigation, is so much alarmed over the appearance of the insects in this section that it has reported the matter directly to Gov. Gillett.

The scientists state that this par-

lett.

The scientists state that this particular pest is practically unknown in North America, except in the Mississippi valley about New Orleans. Efforts to destroy the ants in that section have been without avail and whole districts have been stripped of their groups as a result.

crops as a result.
Figured on the basis of increase noted in Louisiana, it is estimated that the South American pest will make its presence felt throughout the entire state in 10 years' time.

### UTE INDIANS.

Will Return from South Dakota Res ervation to Their Utah Home,

Rapid City, S. D., July 15 .- Five hunired Ute Indians who revolted and errorized the country after deeing from their reservation in Utah, will have a 900 mile trek back from here

The Indians will return under es-cort of a captain and 10 United States

cavalrymen.

The agreement to return is the outcome of a conference between the chief and President Roosevelt. The chief promised the president that the Indians would henceforth be good.

### GUS ADOLPH KILLS TWO MEN JUST FOR REVENGE

Marysvale, Cal., July 15.-Seeking revenge because his former partners drove him from a western railroad camp. 25 miles east of Oroville last March, Gus Adolph, a railroad laborer ment. The rifle itself is of small cre, and is carried on a mule's back a specially adapted pack-saddle. It is are carried the gun carriage, munition boxes and accessory parts, e whole making a very fair load for stocky mule.

The troops marced from Fort Dougton to the Rio Grande depot headed Col. Scott and staff and mounted derlies. Then came the band, the fantry companies, hospital detachent and wagon train in the order ten. The command marched in route for until Second East street was ched, and from there down South the special part of the dead men have not yet been determined.

# FOR AN ANSWER

Socialist Labor Party Will Run Convict Martin R. Preston as Its Presidential Candidate.

RELIES ON SUPERSTITIONS.

Notes That Chicago Convention Was Called to Order by Thirteen Raps And Bryan Nominated Friday.

New York, July 15 .- The national committee of the Socialist-Labor party which has been turned down by Martin R. Preston, the convict who in a private telegram to Daniel De Leon, leader of his party, declined its nomination for president of the United States, de cided yesterday not to take no for an answer and to run Preston anyway.

An official statement on behalf of

the Socialist-Labor party says in part, "Today the compact battalion of the Socialist-Labor party, with Preston and its stand intrepidly on the field of this year's presidential contest, cheered by the howis emited by the manifold foes. So much the better. Let them howl; the louder the merrier.

"With Taft's convention rapped to or-der by a fatal 13 strokes of the gavel and Bryan's nomination made on the fatal Friday, honors may seem easy on that score to the apprehensive watcher for omens. Yet if a bird's-eye view is taken of the two omens the co-incidence cannot be escaped or its signi-ficance lost sight of. Both the Republican and Democratic parties are marked Ichabod. The carrion crows are hov ering over them.

### NICARAGUA AND GUATEMALA.

Mexico City, July 15 .- Important correspondence between the republics of Nicaragua and Guatemala was made public yesterday showing that the most strained relations exist between the two countries. The correspondence in question consists of two letters written by the state department of Nicaragua

by the state department of Nicaragua to the government of Guatemala.

The first bearing the date of June 2, inquiries as to the truth of the re-ported execution by order of President Cabrera, of Dr. Carlos A. Valdez and Senor Manuel Garcia Otoloa, two Nicaraguan citizens. To this Presi-dent Cabrera answered that the men

had not been shot.

On June 5, the Nicaraguan government answered Cabrera's reply, telling him it was unsatisfactory and asking if the men had been executed in any other way than by shooting. In this same letter, Nicaragua assures President Cabrera that she will not accept Guatemala's invitation to send dele-gates to the Pan-American medical congress which meets in Guatemala City this month, until a written guar-antee is given them that they will be given safe conduct out of the country at the close of the session. In defense of this attitude President Zelaya's government points out the treatment accorded Oquili Bustilo, an ambassado, from Honduras to Guatemala, who from Honduras to Guatemala, who was thrown into prison and only released and given safe conduct out of the country on the joint representations of the United States and Mexico. The medical congress to which Nicaragua refuses to send the delegates will be attended by representatives from the United States, Mexico and most of the South American remulties. Un to this South American republics. I time President Cabrera has answer to this last note from Nicar-

#### **GOVERNMENT MANAGERS** OF YUKON EXPOSITION

Washington, July 15. - President Roosevelt has appointed the following U. S. government board of managers of the Alaska-Yukon-Pacific exposition to be held in Seattle next year: Asst. Secy. of the Interior J. E. Asst. Seey. of the Interior J. E. Wilson; W. Deg Ravenal of the national museum; W. E. M. Geddes of the treasury department, secretary and disbursing officer. Congress appropriated \$600,000 for the government and territorial exposition and for necessary government buildings at the exposition

### MINE EXPLOSION

KILLS TWELVE MEN

Pottsville, Pa., July 15.—An explosion of gas in shaft No. 1, Willamstown colliery; operated by the Susquehanta. Coal company, resulted this evening in the probable death of 12 miners. Six have been taken out dead, while 21x more are still inside. Eight have been taken out terribly burned, several of whom will die. least seven days. whom will die,

## SWEDES HAD FROM THEIR BEDS

Dynamite Bomb Exploded in Rear Of Fashionable Apartment House in New York.

BUILDING MUCH DAMAGED.

of Occupants Had Received Threatening Letters-Detectives Are At Sea Over Matter.

New York, July 15 .- A dynamite bomb exploding with terrific force early today in the rear way of a fashionable apartment house in West One Hundred Fortieth street hurled scores of the occupants from their beds, shattered many windows and threw the venants into a panic. A huge hore was torn in the coment flooring of the

court where the bomb went off and considerable other damage was done to the building. There were 42 families living in the apartment house, but as far as the police could learn, none of them had received threatening letters and the reason for the bomb throwing is much of a mystery.

The only clue that the police have is one furnished by a bell boy of a earby anartment house. He said that immediately before the explosion he was sitting on the front steps and saw three men pass. They were carrying a small bundle and walked in the direction of Watts court where the bomb later exploded. The boy said he did not see the man enter the building, as a passing milk wagon shut off his view, but a moment later he heard the crash of the explosion, the force of which threw him from his chair and an in-stant later three men ran swiftly down the street and disappeared.

Although the police were notified at once, it was half an hour before they reached the building.

reached the building.

Almost directly across the street from Watts court is the old Watts manor house, which is occuped by Mrs. Mary B. Pinckney, 90 years old, one of the heirs of the Watts estate. The block in which the explosion occurred is occupied by a number of high class apartment houses.

Detectives working on the case say

Detectives working on the case say they have no ciue to the perpetrators and that if it proves to be an attack by members of the Black Hand, it will be the first of the kind in New York lirected toward the wealthier class of

## ZEPPELIN ARISHIP IS VERY UNLUCKY

Just as it Was Starting for a Flight Gust of Wind Blew it Against Floating Shed.

Inspection Showed it to Be in Bad Shape-Will Take a Week to Make Repairs.

Friederichshafen, July 15 .- The damage caused yesterday to the mammoth airship by a defect in the steering gear was fully repaired and Count Zeppelin lecided to start on his 24 hour flight this morning. Following this program the balloon was brought out of its shed at 11 o'clock. The crew mounted to their platforms and everything was in readiness for a departure when time to cast off was given. Responding to the maneuvers the bow of the ship rose in the air and the motors were started. Then before sufficient way had started. Then before sufficient way had been acquired to permit of proper steering, it guest of wind blew the airship against the side of the floating shed. The side steering gear of the ship hit the walls of the hall, 20 yards of the outer rubber covered silk-covering was torn away and the side propeller was bent. The balloon remained hanging in this position for 10 minutes, its bow in the air, and its stern resting in the water. It was eventually freed from this position and towed back to the shed. An inspection of the damage was made after which it was announced that it would take a week to effect repairs. Consequently the long flight will have to be postponed for at least seven days.

# THEIR REVENGE

Their Flag Not Displayed But Was Hoisted First Today.

Leming Hurled it 178 Feet 71/2 Inches -Svanberg Won First Heat; Five Mile Run, Beating Record.

London, July 15 .- The weather again this morning gave promise of treating kindlier the Olympic games, but clouds are still hovering in the sky and this, to some extent explains the sifmness of the attendance. There were not more than a hundred in addition to the com-petitions and officials present when the first events, the javelin throwing, and the first heat of the hundred kilometer

the first heat of the hundred kilometer cycling race started.

The program today is not up to the usual standard there being but three finals scheduled, the three-mile team race, the 660-yard cycling race and the 2,000 meters tandem cycle race. American interest centers in the team race in which three teams representing America. England and France qualified yesterday for the final.

English were second, and Brooks and Isaacs, England, third.

### THE JAVELIN THROW.

THE JAVELIN THROW.

The Swedes had their revenge today for the failure of the management to display the Swedish flag at the opening, for the first standard to be hoisted this morning to the top of the tall mast in the arena was that of Sweden. This was done to set forth that E. V. Leming had won the javelin throwing contest. He put the staff 178 feet 7½ inches, breaking his own record of 175 feet 6 inches. Czouras, Greece, who won the silver medal, was 19 feet behing Leming, has distance being 168 feet 6 inches, Halse, Norway, was third, 163 feet 4 inches. No Americans competed in this event.

FIVE MILE RUN.

### FIVE MILE RUN.

J. F. Svanberg, Sweden, won first heat of the five mile run. Time-25:461-5, which beats the Olympic re-

In the second heat of the mile run Verght of England won easily. F. G. Beilars, New York A. C., qualified for the final, by finishing second. Long-boat, the Canadian Indian runner, did not compete. Verght's time was 28,13,5,5

The third heat of the five mile run was won easily by Lanquist of Sweden, Time-27:001-5.

Edward P. Carr, Xavier Athletic as-sociation, New York, finished second and qualified for the final. C. L. Hall, Irish-American Athletic club, finished

The fourth heat of the five miles run was won by Murphy of England in 25:59. Meadows of Canada was second. 25:59. Meadows of Canada was second.
The fifth heat of the five mile run
was won easily by A. J. Robertson,
England, in 25:50½. Fitzgerald, Canada,
second. H. L. Trube, Cornell and New
York Athletic club, did not finish.
The sixth heat of the five mile run
was won easily by Owen, England
Galbraith, Canada, was second. The
time of the winner was 26:12.

660 YARDS CYCLE RACE.

In the third heat of the second round of the 660 yards cycle race, Flynn, Eng-land, won; W. G. Cameron, Irish-Amerland, won; w. G. Cameron, Frish-American Athletic club finished third, but did not qualify for the final, Time-544-5 seconds.

The final of the 660 yards cycle race was won by Johnson of England. Demagle, France, was second and Neumer, Germany, third. Time-51 1-5.

THREE-MILE TEAM RACE.

The final in the three-mile team race was won by England. America was second. Time—14 minutes 293-5 sec-

onds
The English team was composed of
H. A. Wilson, A. J. Robertson, H. E.
Deacon, N. F. Hallows and W. C.
Coales, The American team was composed of George V. Bonhag, IrishAmerican Athletic club; G. A. Dull,
University of Michigan; J. L. Eisele,
Princeton and New York Athletic club;
H. L. Trube, Cornell and New York
Athletic club, and Harvey W. C. Cohn,
Irish-American Athletic club. The
French team consisted of four men
only.

only.

As had been expected England won the three-mile team race with comparative ease. At the crack of the pistel, Deakin, Robertson, Coales and Avlison jumped to the front, with Bonhag Afth. Coming into the home stratch on the first lap, however, another wearer of the Stars and Stripes, the long-striding Fisele, came up glougside of Bonhag and took sixth place. Both men were running-easily, with plonty of reserve. I running easily with plenty of reserve by tomorrow morning.

## tired before the conclusion of the

At Olympic Games Yesterday

VICTORS IN JAVELIN THROW

France already was out of the race. Bouin, who ran so weil yesterday, retired before the conclusion of the first lap.

After concluding the first circle, Eisele went to the front, but Deakin, the English cross-country champion, challenged for the place, and getting the pole, led.

By this time the field had divided into sections, Eisele leading the second lot with Dull and Cohn close at hand, and Trube and Bonnag bringing up the rear. Eisele was not satisfied with this, and went up to the first section. When he got there he apparently was worrying over the other Americans, for he kept looking back at them. But he hung on to the four Englishmen with whom he was leading the second section by 40 yards. The second section was made up of Bonhag. Dull, Cohn. Hallow, the Oxford crack, and Trube, now in the order named. Eisele apparently was the only man who could compete with the Englishmen at their own game of long distance running. He took second place in the sixth lap and for this he got a great cheer from the American contingent, but he could not keep this place, and soon dropped back to fourth. Quite undaunted, however, the plucky American, when the bell rang for the last lap started chasing the English men, who were well ahead of him. He began well, but the pace was too fast and he had to conten, himself with fourth place at the finish, Coales beating him by a bare yard. Deakin and Robertson, respectively, first and second, had a good lead. Wilson got fifth place and Bonhag, efter chasing and beating Hallow, a Frenchman, finished eighth, and Dull, Trube and Cohn came in in the order named, followed by two other Frenchmen. Eisele got an ovation for his great effort against the best distance runners in England.

SWIMMING.

France already was out of the race

SWIMMING.

The second heat of the 200 meters which three teams representing America. England and France qualified yesterday, for the final.

Tre final in the 2,000 meters tandem cycling race was won by the French team, Schill and Aufray, in 3 minutes, 73-5 seconds. Hamtin and Johnson. English were second, and Brooks and

Among Delegates for First Place On the Presidential Ticket.

Columbus, Ohio, July 15 .- There was every probability before the Prohibition national convention met today that the first place on the ticket would be filled as the result of a free fight among the delegates. It had been the understanding among the greater portion of the delegates that the presidential nomination would be given to Judge Seaborn Wright of Georgia, if he would ake the place. Up to this morning. however, no intimation had been received from Judge Wright to the effect that he intended to accept the honor. An hour before the convention opened

that he intended to accept the holo. An hour before the convention opened Charles R. Jones of Illinois, chairman of the national committee, declared that if word was not soon received from Mr. Wright, announcing that he intended to take the place, the matter would be left entirely open. Under these conditions, Charles Scanlon of Pittsburg, Jos. P. Tracy of Detroit, Fred W. Wheeler of Los Angeles, Daniel R. Sheen of Peoria, Alfred L. Mannierre of New York and Joshua Levering of Baltimore, were most prominently mentioned. The last named gentleman, who led the party in 1896, is strongly favored by many of the dels strongly favored by many of the del-

The convention was called to order at 10 o'clock in memorial hall, by Chairman Jones. The invocation was offered by Rev. E. L. Eaton of Illinois and Robt. H. Patton of Springfield. Ills, was announced as temporary chairman. In his address Chairman Patton attacked the position of the Republican and Democratic parties, on the liquor question and gave proof that Abraham Lincoln was in favor of prohibition of the liquor traffic.

Mr. Patton quoted passages from a sermon by Rev. James Smith, in which he advocated abolishing the fiquor traffic altogether except for medicinal and sacramental purposes, and read the following letter, which was sent to Mr. Smith by Mr. Lincoln and others: The convention was called to order at

and others:

"Springfield, Ill., Jan. 29, 1853. "Rev. James Smith, D. D.,

"Sir: The undersigned have listen-ed with great satisfaction to the dised win great satisfaction to the dis-course on the subject of temperance delivered by you last evening, and, be-lieving that if published and cfreulated among the people it would be produc-tive of good, would respectively re-quest a copy thereof for publication. "Very sincerely your friends, (Signed)

(Signed)
'A. LINCOLN AND 38 OTHERS."

"We may well congratulate our-selves that our party is the only party today that stands for these principles which Lincoin himself approved and published in 1853," said Mr. Patton in

ton, the roll call of the states called for the announcement of various committees. Sessions we scheduled for this afternoon and night, and it was believed that entire work of the convention as the exception of the nomination of a presidential ticket would be completed

### TRANSPORTATION FOR ADVERTISING

To Permit it Railroad Business Might Lawfully Become One Of Barter and Sale.

JUDGE C. C. KOHLSAAT HOLDS

Decision in Test Case Brought to Prevent Carrying Out of Contract With Munsey & Co.

To Sanction Dickering Would Be to Allow Passenger Rates to Rest on The Whim of the Carrier.

Chicago, July 15 .- "If it be lawful o make the exchange of railroad transportation for advertising, then it would be lawful to do the same in every transaction and the railroad ouslness might lawfully become one of arter and sale, limited only by the

demand."

In a decision handed down today by Judge C. C. Kohlsaat in the United States circuit court from which the above is quoted, the jurist enjoined the issuance of transportation by the Chicago. Indianapolis & Louisville Railway company to the publishers of Munsey's Magazine in exchange for advertising. The decision was rendered in a test case in which the authorities brought suit to prevent the carrying out of a contract entered ino in January, 1997, between the railroad company and Frank A. Munsey & Company, providing for the issuance of trip tickets or mileage to the value of \$500, in consideration of certain advertising space in the publication of the magazine company. The contract was alleged to be a violation of the Hepburn law. Hepburn law.

#### -WHAT IS CHAGED.

The petition charges that the action of the railway company in issuing such transportation constitutes a violation of prohibition against the acceptance of any compensation for transportation, "greater or less or different" from that named in the published rates. The railroad company insisted that it received a full money value based on schedule rates for the mileage or tickets issued, and denied that it was committing a violation of the law.

In passing upon the question compensation, the decision says:

VALUE OF ADVERTISING.

"The question as to the value of the advertising is a contested one. Manifestly there can be no fixed price placed upon it. The number of copies issued, the character of its supportibers and many other questions enter the estimate of its worth. It is, therefore impossible to say what its cash value is, except by comparison with other advertising rates. It cannot be said that the evidence is conclusive or convincing on this point. If it is taken at its cash value why should transportation be limited as specified in the contract? If the magazine is paying \$500 to the de-"The question as to the value of the value why should transportation be limited as specified in the contract? If the magazine is paying \$500 to the defendant why does it accept transportation both of less and different value than it would accept if it bought its ticket with money? It seems fair to ticket with money? It seems fair to conclude that either the advertising is of less than cash value or the adver-tisers are grossly imposed upon by the

After citing several decistons rened in somewhat similar cases, Judge Kohlsaat says:
"It will be noted that the contract

loes not require that the advertisement must be furnished before the transpor-tation is given. There is no restriction upon the part of the advertiser to call for his railroad tickets only so far as earned. In the matter of interest the rate would be less and different from that which is paid.

TREND OF LEGISLATION. "There is no mistaking the trend of the law making and construing powers. Every new step is tending toward a most rigid enforcement of the rule that requires exact equality in the matter of rates. When, by the Hepburn act, the word 'different' was added to the words 'greater or less,' it is not unfair to assume that Congress intended to make the law more explicit and more difficult to evade. The intention is to close every avenue of discrimination. Bearing this in mind, the courts have not been and will discrimination. Bearing this in mind, the courts have not been and will not be disposed to hesitate in giving significance to changes in the language of the statutes as they occur from time to time. It is essential to the spirit of the statute that the value of transportation be fixed and certain. In no other way can it be held to be exactly the same to all. If one person may purchase it with advertising and exactly the same to all. It one person may purchase it with advertising, another with labor, and another with produce, the value of which is a matter of agreement between the partics, how can it be said the schedule rate is always maintained? Would not the rate rest in the whim of the carrier? Such is not the intent of the law. To say to one man 'You must pay cash' Such is not the intent of the law. To say to one man 'You must pay cash' and to his competitor, You must pay in services or merchandise at prices we may agree upon,' be it less or more than the market prices, would seem clarly to constitute such a dif-ference in transportation as condemn-ed by the act. Such claim is made hat the government's contention drafts and bills of exchange. This is without weight. In practical business usage these instruments pass for cash. The action of the defendant is in dissonance with the letter and spirit Notice of an appeal to the United ates supreme court was at once States supreme court was at once given by attorryes for the railroad

### PERFECT WEATHER GREETS THE SHRINERS

St. Paul, Minn. July 15.-Perfect weather again greeted the Shriners to-lay when they began another round of pageantry. While the imperial coun-Twenty-five pairols took part, including Islaam, San Francisco and Elkalah, salt Lake City.

MOB AFTER A NEGRO.

Beaumont. Tex., July 15.—Last night a posse of over 1,000 men were scouring the woods in this vicinity in an effort to capture an unidentified negro, who early vesterday attacked and beat into insensibility a 13 year-old white girl, Ada Belle Horsains, inflicting injuries which may prove fatal. It is the inich may prove fatal. It is the in-Asiamone.